

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Dec 04, 2023

SEAN F. MCAVOY, CLERK

Eastern District of Washington**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Adam Lee Spencer

Case Number: 0980 2:16CR00170-TOR-1

Address of Offender: [REDACTED], Spokane Valley, Washington 99216

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: September 26, 2017

Original Offense: Felon in Possession of Firearm, 18 U.S.C. §§ 922(g)(1), 924(a)(2);
Distribution of 5 Grams or More of Actual (Pure) Methamphetamine, 21 U.S.C. §
841(a)(1), (b)(1)(B)(viii);

Original Sentence: Prison - 54 months Type of Supervision: Supervised Release
TSR - 60 months

Revocation Sentence: Prison - 13 months
(January 26, 2022) TSR - 60 months

Asst. U.S. Attorney: Caitlin A. Baunsgard Date Supervision Commenced: October 21, 2022

Defense Attorney: Federal Defender's Office Date Supervision Expires: October 20, 2027

PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 9/13/2023.

On October 21, 2022, an officer with the U.S. Probation Office in Spokane, Washington, reviewed a copy of the conditions of supervision with Mr. Spencer, as outlined in the judgment and sentence. He signed a copy acknowledging the requirements.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Special Condition #6: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On or about November 17, 2023, Adam Spencer allegedly violated special condition number 6 by consuming methamphetamine.

On November 17, 2023, the offender reported to Pioneer Human Services (PHS) for phase urinalysis testing when his assigned color was identified for testing. He provided a urine sample that tested presumptive positive for methamphetamine, but denied any illicit drug use; Mr. Spencer signed a denial of use form confirming that denial.

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On November 27, 2023, this officer received notification from the laboratory that the urine sample collected from the offender on November 17, 2023, was in fact positive for methamphetamine.

- 8 **Special Condition #6:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On or about November 22, 2023, Adam Spencer allegedly violated special condition number 6 by consuming methamphetamine.

On November 21, 2023, Mr. Spencer failed to report for his substance abuse group treatment session.

The next day, on November 22, 2023, this officer contacted the offender regarding his missed treatment session. Mr. Spencer stated that he missed his treatment session because he was “dosing,” which is a reference to his appointments at the methadone clinic. He was subsequently instructed to report to the U.S. Probation Office later that afternoon to submit to random urinalysis testing and meet with this officer. When asked if he would test positive, the offender admitted that he would in fact be positive because he had once again consumed methamphetamine.

The U.S. Probation Office respectfully recommends the Court to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/04/2023

s/Amber M.K. Andrade

Amber M.K. Andrade
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Issuance of a Warrant
☐ The Issuance of a Summons
☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
☒ Defendant to appear before the Judge assigned to the case.
☐ Defendant to appear before the Magistrate Judge.
☒ Other:
The final Revocation hearing scheduled for 1/31/2024 remains set.



Thomas O. Rice
United States District Judge
December 4, 2023

Date